the principal defendant, the present plaintiff, and no notice was given him by the garnishee. *Held*, that the garnishment judgment was valid and a defense to the present action. *Southern Ry. Co.* v. *Williams*, 206 S. W. 186 (Tenn.).

It is established law that jurisdiction over a debt in garnishment proceedings may be obtained by acquiring personal jurisdiction anywhere over the garnishee. *Harris* v. *Balk*, 198 U. S. 215; *Louisville & Nashville R. R. Co.* v. *Deer*, 200 U. S. 176. The soundness of this doctrine may well be questioned. See 27 HARV. L. REV. 107; 31 HARV. L. REV. 917. Exercising the jurisdiction so obtained with no notice to the principal defendant except an "extrajudicial" one from the garnishee has been held by the Supreme Court of the United States to be "due process of law." *Baltimore & Ohio Ry. Co.* v. *Hostetter*, 240 U. S. 620. The principal case is in accord with the latter decision on this point, because the presence or absence of such an extrajudicial notice can have no effect on the constitutionality of the proceedings. But it has been held, contrary to the decision in principal case, that such notice is necessary to protect the garnishee from repayment of the debt to the principal defendant. *Pierce* v. *Chicago Ry.*, 36 Wis. 283; *St. Louis & S. F. R. Co.* v. *Crews*, 151 Pac. 879 (Okla.). See also *Morgan* v. *Neville*, 74 Pa. St. 52, 57; *Harris* v. *Balk*, 198 U. S. 215, 227. On ordinary principles, the failure by the garnishee to give notice can make him liable to pay the debt a second time only because his negligence has injured the principal defendant to that extent. It should therefore, it is submitted, be necessary for the principal defendant, in his suit against the garnishee, to show (1) (*injury*) that the claim of the plaintiff in the garnishment proceedings was unjust, and (2) (*causation*) that the claim could have been successfully resisted if the garnishee had given the omitted notice. Since neither of these elements of liability was established in the principal case, the decision, notwithstanding its obvious injustice to the present plaintiff, seems the correct one if we are logically to follow *Harris* v. *Balk* and *Baltimore & Ohio Ry. Co.* v. *Hostetter*, *supra*.

HUSBAND AND WIFE — CRIMINAL CONVERSATION — RIGHT OF WIFE TO SUE. — The plaintiff, a married woman, sued another woman for criminal conversation with the plaintiff's husband. *Held*, the plaintiff may recover. *Turner* v. *Heavrin*, 206 S. W. 23 (Ky.).

Under the old common law a wife either had no right of action for the alienation of her husband's affections or for criminal conversation with him, or else she had a right she could not enforce because of the necessity of joining her husband, one of the wrongdoers as a party plaintiff. See *Lynch* v. *Knight*, 9 H. L. 577, 594, 595; *Humphrey* v. *Pope*, 122 Cal. 253, 257, 53 Pac. 847, 848 (affirmed in 1 Cal. App. 374, 82 Pac. 223); *Haynes* v. *Nowlin*, 129 Ind. 581, 584, 29 N. E. 389, 390. A few jurisdictions still follow the old rule, sometimes on account of a needlessly narrow interpretation of Married Women's Property Acts. *Morgan* v. *Martin*, 92 Me. 190, 42 Atl. 354; *Lellis* v. *Lambert*, 24 Ont. App. 653. Most jurisdictions now, however, allow a wife recovery in an action for alienation of affections, especially where the action involves both alienation of affections and criminal conversation. *Messervy* v. *Messervy*, 82 S. C. 559, 64 S. E. 753; *Nolin* v. *Pearson*, 191 Mass. 283, 77 N. E. 890. While generally the cases fail to distinguish the two actions, one court has held that a wife may maintain an action for alienation of affections, but not for criminal conversation. *Kroessin* v. *Keller*, 60 Minn. 372, 62 N. W. 438. Another court held in a *dictum* the wife could maintain either. *Dodge* v. *Rush*, 28 App. D. C. 149, 153, The present case, allowing recovery for criminal conversation alone, seems sound.

JURISDICTION — CIVIL AND MILITARY TRIBUNALS — CALL TO SERVICE UNDER THE DRAFT ACT WHILE AWAITING SENTENCE IN A CIVIL TRIBUNAL. — The